

EAST SIDE UNION HIGH SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
830 N. Capitol Avenue
San Jose, CA 95133

AGENDA
June 7, 2012

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 347-5010. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

Closed Session will begin at 4:00 P.M.

The Regular Board Meeting will begin at 4:00 p.m. in the Board Room of the Education Center. Anyone wishing to address the Board regarding Closed Session items may speak at this time. The Board will then adjourn to Closed Session in the Superintendent's Conference Room.

1. Call to Order/ Roll Call

1.01 Roll Call

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session
(*Government Code §54957.7*)

Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a gold request form, which is located at the entrance of the Board Room.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:00 p.m.)
SEE ITEM 2 ON AGENDA (CLOSED SESSION)

Closed Session

2.01 Expulsion(s): A-E

2.02 Request(s) for Exemption of Students B-G (B,C, D, E, F, G)
Pursuant to Education Code Section 51241

2.03 Public Employee Performance Evaluation
(*Government Code Section 54957*)

- *Internal Auditor*
- *Associate Superintendent of Business Services*

2.04 Public Employment/Public Employee Appointment
(Government Code Section 54957)

- Superintendent
- Associate Principal (4)

2.05 Public Employee Discipline/Dismissal/Release
(Government Code Section 54957)

2.06 Conference with Labor Negotiators
(Government Code Section 54957.6)

Agency Designated Representatives:

Dan Moser, Superintendent

Cathy Giammona, Associate Superintendent of Human Resources and Instruction

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Vida Branner, Director of Compensation and Classified Employee Relations

Cari Vaeth, Director of Human Resources

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

2.07 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the
Government Code

- Two (2) Potential Cases

Open Session at approximately 6:00 P.M. – Education Center Board Room

3. **Pledge of Allegiance**

4. **Welcome and Explanation to Audience**

Information explaining Board meeting procedures and how citizens can address the Board will be read.
Written information is located near the entrance to the Board Room.

5. **Adoption of Agenda**

6. **Board Special Recognition(s)**

6.01 Hoffman Awards 2012

- Program Improvement in Alternate Setting (PRIAS) - East Side Union HSD

7. **Student Board Liaisons (5 minutes each)**

No items on calendar under this section.

8. Special Order of Business – Operational Items/Board Discussion and/or Action

The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

9. Public Hearing(s) - Operational Items/Board Discussion and/or Action

- 9.01 Hold Public Hearing at Approximately 6:05 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From San Jose Federation of Teachers, Local 957, AFT, AFL-CIO to East Side Union High School District - Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 9.02 Hold Public Hearing at Approximately 6:10 p.m. Regarding Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2012 - August 31, 2013, and Disclosure of Major Provisions of Tentative Agreement (AB1200) - Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 9.03 Hold Public Hearing at Approximately 6:15 p.m. regarding the Proposed Use of Tier III Categorical Program Funds (AB189) - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 9.04 Hold Public Hearing at Approximately 6:20 p.m. regarding the Preliminary Budget for 2012-13. The Preliminary Budget is available for Inspection at the District Office (Business Services Dept.) - Marcus Battle, Associate Superintendent, and Karen Poon, Director of Finance

10. Public Members who wish to Address the Board of Trustees

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

11. Board of Trustees/Superintendent - Operational Items/Board Discussion and/or Action

- 11.01 Presentation regarding ESUHSD Drop-Out Rates and At-Risk Students - Amy Tran, School Board Fellow, Leadership for Educational Equity (10 minutes)
- 11.02 Approve San Jose Conservation Corps Charter Renewal - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services (10 minutes)
- 11.03 ESTA Safety Survey Results - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services and Marisa Hanson, ESTA President
- 11.04 Receive First Reading of Proposed New, Amended and Deleted 0000 Board Policy Series - Juan Cruz, Assistant Superintendent of Instructional Services, and Dan Moser, Superintendent

- 11.05 Approve Incoming Loan Agreement with History San Jose - Marcus Battle, Associate Superintendent of Business Services
- 11.06 Discussion, Consideration and/or Action to Reschedule August 16, 2012, Regular Board Meeting – Frank Biehl, Board President
- 11.07 Discussion/Action regarding Employment Contract for Superintendent - Frank Biehl, Board President

12. Instructional Services/Student Services - Operational Items/Board Discussion and/or Action

- 12.01 Discuss and/or Approve Program Improvement Year 4 School Alternative Governance Plans - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services
- 12.02 Discuss and/or Approve LEA Plan - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services
- 12.03 Approve CAHSEE Local Waivers for Special Education Students - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instruction
- 12.04 Approve Designation of California Interscholastic Federation (CIF) Representatives to League for 2012-2013 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services
- 12.05 Receive First Reading to Amend Board Policies 5127 Graduation Ceremonies and Activities and 6146.1 High School Graduation Requirements - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Juan Cruz, Assistant Superintendent of Instructional Services
- 12.06 Receive First Reading of Proposed Amendments to Board Policy 5131 Student - Conduct and Proposed Board Policy 5131.2 Students - Bullying - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, Juan Cruz, Assistant Superintendent of Instructional Services, and George Sanchez, Coordinator of Student Services
- 12.07 Receive First Reading of Proposed Amendments to Board Policy 6163.4 Student Use of Technology and Acceptable Use Policy - Cathy Giammona, Associate Superintendent, Human Resources and Instruction, and Juan Cruz, Assistant Superintendent of Instructional Services

13. Human Resources - Operational Items/Board Discussion and/or Action

- 13.01 Approve Amended Student/Certificated Calendar for the 2012-2013 School Year – Cathy Giammona, Associate Superintendent, Human Resources and Instruction
- 13.02 Ratify and Approve Tentative Agreement with East Side Teachers Association/CTA/NEA, August 31, 2012 - August 31, 2013 - Cathy Giammona, Associate Superintendent, Human Resources and Instruction

14. Business Services - Operational Items/Board Discussion and/or Action

- 14.01 Receive, Discussion and/or Action of Preliminary Budget for Fiscal Year 2012-13 with May Revision - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance
- 14.02 Adopt Resolution #2011/2012-36 Proposed Use of Tier III Categorical Program Funds (AB189) - Marcus Battle, Associate Superintendent of Business Services
- 14.03 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

15. Facilities - Operational Items/Board Discussion and/or Action

- 15.01 Approve Extension of Measure G Program Management Agreement - Marcus Battle, Associate Superintendent of Business Services, and Rogelio Ruiz, Legal Counsel

16. Attachment A - Consent Calendar Items

See Attachment A – Administration recommends approval of the consent items shown on Attachment A.

17. Written Reports/Recommendation

- 17.01 Receive Update to Previously Approved Change Orders for Current Bond Projects which Exceed the 10% Allowance
- 17.02 Receive Quarterly Report on the County of Santa Clara Treasury Investment Portfolio Status as of March 31, 2012

18. Future Agenda Items

- 18.01 Opportunity for Board of Trustees to Request Items on Future Agendas
- Parent Involvement Plan – Patricia Martinez-Roach, Board Vice President
 - Child Development Program – Patricia Martinez-Roach, Board Vice President
 - Special Education Program Costs - Patricia Martinez-Roach, Board Vice President
 - Allowable Advertising – Frank Biehl, Board President

19. Board of Trustees/Superintendent Communications/Comments

- 19.01 Board of Trustees
- Frank Biehl, President
 - Patricia Martinez-Roach, Vice President
 - J. Manuel Herrera, Clerk
 - MetroED
 - Lan Nguyen, Member
 - Van Le, Member
- 19.02 Dan Moser, Superintendent

20. Report Closed Session Action(s)

21. Adjournment

Attachment A - Consent Calendar

16. Superintendent asserts that the attached Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations Requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

- 16.01 Ratify/Approve Classified Personnel Actions Presented June 7, 2012
- 16.02 Ratify/Approve Certificated Personnel Actions Presented June 7, 2012
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented June 7, 2012
- 16.04 Approve School Field Trips
- 16.05 Approve Permanent Textbook Adoption for Emergency Medical Responder Fifth Edition, Fundamentals of Fire Fighter Skills Second Edition and, Successful Restaurant Management: From Vision to Execution
- 16.06 Approve Permanent Course Adoption for Beginning Journalism, Child Development Education, I, II, II, Engineering Design and Development, Film Production, Fire Science I, Guitar Ensemble, History of Globalization Trade and Finance, Hospitality and Tourism Management, and Studies In Media
- 16.07 Approve Award of Bids
- 16.08 Approve Contracts for Professional Services At or Below \$50,000
- 16.09 Approve Memoranda of Understanding
- 16.10 Approve Budget Transfers
- 16.11 Approve Purchase Orders
- 16.12 Approve Change Orders to Purchase Orders
- 16.13 Accept Donations, Grants and Awards
- 16.14 Accept Warrant Register for the Month of May 2012
- 16.15 Adopt Resolution #2011/2012-37 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546
- 16.16 Approve Change Order #2 for James Lick High School, Title IX Modernization Project (BRCO Constructors Inc.)
- 16.17 Approve Notice of Completion for James Lick High School, Title IX Modernization Project (BRCO Constructors Inc.)
- 16.18 Approve Minutes of April 30 & May 1, 2012, Special Board Meeting
- 16.19 Approve Minutes of May 8, 2012, Special Board Meeting
- 16.20 Approve Minutes of May 10, 2012, Regular Board Meeting